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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 TERRENCE TRAMONTANA,) No. C 10-4077 LHK (PR)
11)
12 Petitioner,) ORDER OF TRANSFER
13)
14 vs.)
15)
16 WARDEN G. SWARTHOUT,)
17)
18 Respondent.)
19 _____)

20
21 Petitioner, proceeding *pro se*, filed a petition for a writ of habeas corpus pursuant to 28
22 U.S.C. § 2254. He was convicted in the Superior Court of Contra Costa County, which is in this
23 district, and is housed at California State Prison - Solano, Vacaville, which is in the Eastern
24 District.

25 Venue is proper in a habeas action in either the district of confinement or the district of
26 conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to
27 review the execution of a sentence. Habeas L.R. 2254-3(a); *Dunne v. Henman*, 875 F.2d 244,
28 249 (9th Cir. 1989). The petition challenges a denial of parole suitability by the Board of Parole
Hearings. Because Petitioner's challenge goes to the execution of his sentence, this petition is
TRANSFERRED to the United States District Court for the Eastern District of California. *See*
28 U.S.C. § 1404(a); Habeas L.R. 2254-3(b)(1). The Clerk shall terminate any pending motions
and transfer the entire file to the Eastern District of California.

IT IS SO ORDERED.

DATED: 9/26/10



LUCY H. KOH
United States District Judge